



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/890,054

07/25/2001

Yasushi Takahashi

450101-02432

5762

20999

7590

10/30/2006

FROMMER LAWRENCE & HAUG
745 FIFTH AVENUE- 10TH FL.
NEW YORK, NY 10151

EXAMINER

SHEPARD, JUSTIN E

ART UNIT

PAPER NUMBER

2623

DATE MAILED: 10/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/890,054

Applicant(s)

TAKAHASHI, YASUSHI

Examiner

Justin E. Shepard

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 69-82 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 69-82 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 10/6/06 have been fully considered but they are not persuasive.

Page 9, fourth paragraph, lines 8-9:

The applicant argues that Abecassis does not teach a rating that has a relation with the significance of a particular scene to an overall content represented by the main movie data. Abecassis discloses a system in which individual scenes contain ratings, instead of the entire film as is the industry standard. The fact that one scene that is rated 'R' would cause a film to be rated 'R' is interpreted as that scene's rating having significance to the overall content represented by the main movie and therefore the rejection stands.

Page 10, second paragraph, lines 7-14:

The applicant argues that Goldberg does not teach generating semantic evaluation meta-data based on an evaluation of the shots of the main video. Goldberg discloses a system that creates a file containing meta-data for each video sequence. The examiner interprets this system as meeting the limitation and therefore the rejections stands.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 69-72, 74, 75, 77, 78, 80, and 81 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldberg in view of Abecassis.

Referring to claim 69, Goldberg discloses a method for transmitting video data comprising: generating preview meta-data based on a main video data, by selecting in a predetermined sequence a plurality of shots, each shot being a basin unit of the main video data (column 10, lines 36-42); generating a semantic evaluation meta-data based on an evaluation of the shots of the main video data (column 9, lines 52-56; figure 3); and transmitting the preview meta-data, the semantic evaluation meta-data, and the main video data (column 9, lines 52-56; column 15, lines 6-8), wherein the preview meta-data further comprises commentary data, still picture data (column 10, lines 36-42; figure 4), and/or voice data introducing the main video data and each chapter of the main video data (column 10, lines 36-42).

Goldberg does not disclose a method wherein said semantic evaluation meta-data indicating significance of the shots of the main video data to an overall content represented by the main video data.

Abecassis discloses, in an analogous art, a method wherein said semantic evaluation meta-data indicating significance of the shots of the main video data to an

overall content represented by the main video data (figure 3, parts 501, 502, 503, and 521; column 9, lines 8-10; Note: rating a particular scene is interpreted as indicating the significance of the scene).

At the time of the invention it would have been obvious for one of ordinary skill in the art to add the scene content ratings taught by Abecassis to the method disclosed by Goldberg. The motivation would have been to enable the viewer to easily identify specific scenes that contain inappropriate material (column 9, lines 13-16).

Claim 70 is rejected on the same grounds as claim 69.

Referring to claim 71, Goldberg discloses a method for receiving video data comprising: receiving main video data; receiving preview meta-data representing a predetermined sequence of shots, each shot being a basic unit of the main video data (column 9, lines 52-56; column 10, lines 36-42; column 15, lines 6-8); receiving semantic evaluation meta-data representing an evaluation of the shots of the main video data (column 9, lines 52-56; figure 3); wherein the preview meta-data further comprises commentary data, still picture data (column 10, lines 36-42; figure 4), and/or voice data introducing the main video data and each chapter of the main video data (column 10, lines 36-42).

Goldberg does not disclose a method wherein said semantic evaluation meta-data indicating significance of the shots of the main video data to an overall content represented by the main video data; and manipulating the main video data based on the preview meta-data and the semantic evaluation meta-data.

Abecassis discloses, in an analogous art, a method wherein said semantic evaluation meta-data indicating significance of the shots of the main video data to an overall content represented by the main video data (figure 3, parts 501, 502, 503, and 521); and manipulating the main video data based on the preview meta-data and the semantic evaluation meta-data (column 9, lines 13-16).

At the time of the invention it would have been obvious for one of ordinary skill in the art to add the editing from Abecassis to the system disclosed by Goldberg. The motivation would have been to enable the system to edit out certain parts of the video that may be offensive to the user (Abecassis: column 7, lines 1-2).

Claim 74 is rejected on the same grounds as claim 71.

Claim 77 is rejected on the same grounds as claims 69 and 71.

Claim 80 is rejected on the same grounds as claim 77.

Referring to claim 72, Goldberg does not disclose a method wherein manipulating the main video data comprises extracting a predetermined part from the main video data identified by the preview meta-data and the semantic evaluation meta-data.

Abecassis discloses, in an analogous art, a method wherein manipulating the main video data comprises extracting a predetermined part from the main video data identified by the preview meta-data and the semantic evaluation meta-data (column 9, lines 13-16).

At the time of the invention it would have been obvious for one of ordinary skill in the art to add the editing from Abecassis to the system disclosed by Goldberg and Ueno. The motivation would have been to enable the system to edit out certain parts of the video that may be offensive to the user (Abecassis: column 7, lines 1-2).

Claims 75 and 78 are rejected on the same grounds as claim 72.

Claim 81 is rejected on the same grounds as claim 78.

Claims 73, 76, 79, and 82 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldberg in view of Abecassis as applied to the claims above, and further in view of Hjelsvold.

Referring to claim 73, Goldberg and Abecassis do not disclose a method for receiving billing meta-data indicating how billing is to be performed; and billing a viewer at a receiving end based on the received billing meta-data.

Hjelsvold discloses a method for receiving billing meta-data indicating how billing is to be performed (column 5, lines 28-29 and 45-51); and billing a viewer at a receiving end based on the received billing meta-data (column 6, lines 9-13).

At the time of the invention it would have been obvious for one of ordinary skill in the art to add the billing method taught by Hjelsvold to the system disclosed by Goldberg and Abecassis. The motivation would have been to enable different lengths of videos to have different prices (Hjelsvold: column 5, lines 28-29), which would make the system more convenient for the user.

Claims 76 and 79 are rejected on the same grounds as claim 73.

Art Unit: 2623

Claim 82 is rejected on the same grounds as claim 79.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin E. Shepard whose telephone number is (571) 272-5967. The examiner can normally be reached on 7:30-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on (571) 272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2623

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JS



CHRISTOPHER GRANT
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600